

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

IAN FURMINGER

DISTRICT COURT NUMBER
CR 14-0102 CRB**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FEDERAL BUREAU OF INVESTIGATION

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE
CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person
 Furnishing Information on this form MELINDA HAAG
☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned) AUSA RODNEY C. VILLAZOR
DEFENDANT**IS NOT IN CUSTODY**

- 1)
- ☐
- Has not been arrested, pending outcome this proceeding.
-
- ☐
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☒
- Is on Bail or Release from (show District)

NDCA**IS IN CUSTODY**

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Oct. 31, 2014 @ 9:30 AM Before Judge: Elizabeth Laporte

Comments:

PENALTY SHEET
DEFENDANT – IAN FURMINGER

18 U.S.C. § 1343, Wire Fraud – 20 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. §§ 1343, Honest Services Wire Fraud – 20 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 241 – Conspiracy Against Civil Rights - 10 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 371 – Conspiracy to Commit Theft Concerning Federally Funded Program - 5 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 666(a)(1)(A) – Theft Concerning Federally Funded Program - 10 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 1951 – Extortion Under Color of Official Right - 20 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

21 U.S.C. § 846 – Conspiracy to Distribute Controlled Substances – 20 years imprisonment, \$1,000,000, 3 years minimum/life maximum supervised release, \$100 special assessment

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

B1 ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

SEE ATTACHMENT

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEFENDANT - U.S.

EDMOND ROBLES

DISTRICT COURT NUMBER
 CR 14-0102 CRB

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FEDERAL BUREAU OF INVESTIGATION

- ☐ person is awaiting trial in another Federal or State Court, give name of court

- ☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

AUSA RODNEY C. VILLAZOR

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

- 2) ☐ Is a Fugitive

- 3) ☒ Is on Bail or Release from (show District)

NDCA

IS IN CUSTODY

- 4) ☐ On this charge

- 5) ☐ On another conviction

☐ Federal ☐ State

- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Oct. 31, 2014 @ 9:30 AM Before Judge: Elizabeth Laporte

Comments:

PENALTY SHEET
DEFENDANT – EDMOND ROBLES

18 U.S.C. § 1343, Wire Fraud – 20 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. §§ 1343, Honest Services Wire Fraud – 20 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 241 – Conspiracy Against Civil Rights - 10 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 371 – Conspiracy to Commit Theft Concerning Federally Funded Program - 5 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 666(a)(1)(A) – Theft Concerning Federally Funded Program - 10 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

21 U.S.C. § 846 – Conspiracy to Distribute Controlled Substances – 20 years imprisonment, \$1,000,000, 3 years minimum/life maximum supervised release, \$100 special assessment

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED
2014 OCT 30 P 3:25
CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

IAN FURMINGER and EDMOND ROBLES,

CR 14 102 CRB
DEFENDANT(S).

SUPERSEDING INDICTMENT

18 U.S.C. § 1343 – Wire Fraud; 18 U.S.C. §§ 1343 and 1346 – Honest Services Wire Fraud; 18 U.S.C. § 241 B Conspiracy Against Civil Rights; 18 U.S.C. § 371 – Conspiracy to Commit Theft Concerning Federally Funded Program; 18 U.S.C. § 666(a)(1)(A) B Theft Concerning Federally Funded Program; 18 U.S.C. § 1951 – Extortion Under Color of Official Right; 18 U.S.C. § 2 B Aiding and Abetting; 21 U.S.C. § 846 – Conspiracy to Distribute Controlled Substances

A true bill.

Nancy J. Peterson
Foreman

Filed in open court this 30th day of

October 2014.

Clerk

Sgt. D. D. [Signature]
Bail, \$ [Signature]

FILED
2014 OCT 30 P 3 25
CLERK OF U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MELINDA HAAG (CABN 132612)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

IAN FURMINGER and
EDMOND ROBLES,

Defendants.

No. CR 14-0102 CRB

VIOLATIONS: 18 U.S.C. § 1343 – Wire Fraud; 18 U.S.C. §§ 1343 and 1346 – Honest Services Wire Fraud; 18 U.S.C. § 241 – Conspiracy Against Civil Rights; 18 U.S.C. § 371 – Conspiracy to Commit Theft Concerning Federally Funded Program; 18 U.S.C. § 666(a)(1)(A) – Theft Concerning Federally Funded Program; 18 U.S.C. § 1951 – Extortion Under Color of Official Right; 18 U.S.C. § 2 – Aiding and Abetting; 21 U.S.C. § 846 – Conspiracy to Distribute Controlled Substances

SAN FRANCISCO VENUE

SUPERSEDING INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. The San Francisco Police Department ("SFPD") was a duly constituted police agency engaging in law enforcement in San Francisco, California. SFPD sergeants and officers were authorized by California law to make lawful arrests and conduct legally authorized searches and seizures within the

SUPERSEDING INDICTMENT

1 City and County of San Francisco and elsewhere.

2 2. Defendant IAN FURMINGER was an SFPD sergeant.

3 3. Defendant EDMOND ROBLES was an SFPD officer.

4 4. R.V. was an SFPD officer.

5 5. As SFPD law enforcement officers, each of the defendants and R.V. had a duty of
6 honesty and loyalty to the SFPD and to the citizens of the City and County of San Francisco to act in the
7 public interest and not for their own illicit enrichment.

8 6. During each one-year period relevant to this Superseding Indictment, the City and
9 County of San Francisco received benefits in excess of \$10,000 under federal programs involving
10 grants, contracts, subsidies, loans, guarantees, insurance, and other forms of federal assistance.

11 7. Defendants and others engaged in the schemes and conspiracies alleged in this
12 Superseding Indictment to use their positions to enrich themselves by stealing money and property and
13 by soliciting and taking things of value in exchange for official action and inaction.

14 8. Defendants carried out the schemes and conspiracies alleged in this Superseding
15 Indictment in the following manners and means, among others:

16 a. The defendants stole money, drugs, and property during searches and arrests, kept
17 those items for themselves, and did not book those items into SFPD evidence.

18 b. The defendants deprived individuals of due process of law by omitting from
19 police reports money and property taken during searches and arrests.

20 c. The defendants solicited and accepted things of value from a person, S.S., they
21 knew was engaged in the business of selling stolen property.

22 d. The defendants provided favorable official action on behalf of S.S., as requested
23 and when opportunities arose, including protecting S.S. from arrest and prosecution.

24 e. The defendants took steps to hide, conceal, and cover up their activities, including
25 by making and approving false police reports.

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SUPERSEDING INDICTMENT

COUNTS ONE and TWO: (18 U.S.C. § 1343 – Wire Fraud)

9. The factual allegations in Paragraphs 1 through 4, 7, 8(a), and 8(e) are re-alleged and incorporated as if fully set forth here.

10. From in or about December 2008 through August 2012, in the Northern District of California, the defendants,

IAN FURMINGER and
EDMOND ROBLES,

R.V., and others, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

11. On or about the dates listed below, in the Northern District of California, defendants, for the purpose of executing the scheme and artifice to defraud, transmitted and caused to be transmitted by means of wire communications in interstate commerce, the following writings, signals, and sounds:

<u>Count</u>	<u>Date</u>	<u>Wire Transmission</u>
ONE	November 19, 2009	Text Message from R.V. to Furminger
TWO	November 19, 2009	Police Report

All in violation of Title 18, United States Code, Section 1343.

COUNTS THREE and FOUR: (18 U.S.C. §§ 1343 and 1346 – Honest Services Wire Fraud)

12. The factual allegations in Paragraphs 1 through 5, 7, 8(c), and 8(d) are re-alleged and incorporated as if fully set forth here.

13. From in or about December 2008 through August 2012, in the Northern District of California, the defendants,

IAN FURMINGER and
EDMOND ROBLES,

R.V., and others, devised and intended to devise a scheme and artifice to defraud and deprive the citizens of the City and County of San Francisco and the SFPD of the defendants' honest and faithful services through bribery, kickbacks, and the concealment of material information.

14. On or about the dates listed below, in the Northern District of California, defendants, for the purpose of executing the scheme and artifice to defraud and deprive, transmitted and caused to be

SUPERSEDING INDICTMENT

transmitted by means of wire communications in interstate commerce, the following writings, signals, and sounds:

<u>Count</u>	<u>Date</u>	<u>Wire Transmission</u>
THREE	September 7, 2011	Text Message from S.S. to Furminger
FOUR	February 7, 2012	Text Message from Robles to Furminger

All in violation of Title 18, United States Code, Sections 1343 and 1346.

COUNT FIVE: (18 U.S.C. § 241 – Conspiracy Against Civil Rights)

15. The factual allegations in Paragraphs 1 through 4, 7, 8(a), 8(b), and 8(e) are re-alleged and incorporated as if fully set forth here.

16. Beginning on a date unknown to the grand jury but no later than on or about February 19, 2009, and continuing through at least August 12, 2010, in the Northern District of California, the defendants,

IAN FURMINGER and
EDMOND ROBLES,

R.V., and others, while acting under color of law, did willfully combine, conspire, and agree with each other to injure, oppress, threaten, and intimidate individuals they encountered in the course of their official duties, who were inhabitants of California, in the free exercise and enjoyment of the rights and privileges secured to them by the Constitution and laws of the United States, namely, the right not to be deprived of property without due process of law.

All in violation of Title 18, United States Code, Section 241.

COUNT SIX: (18 U.S.C. § 371 – Conspiracy to Commit Theft Concerning Federally Funded Program)

17. The factual allegations in Paragraphs 1 through 4, 6, 7, 8(a), and 8(e) are re-alleged and incorporated as if fully set forth here.

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SUPERSEDING INDICTMENT

f. On or about November 19, 2009, FURMINGER, ROBLES and R.V. stole money during a search of a storage facility in San Francisco, California, and split it among themselves.

All in violation of Title 18, United States Code, Section 371.

COUNT SEVEN: (18 U.S.C. §§ 666(a)(1)(A) and 2 – Theft Concerning Federally Funded Program and Aiding and Abetting)

20. The factual allegations in Paragraphs 1 through 4, 6, 7, 8(a), 8(e), and 19 are re-alleged and incorporated as if fully set forth here.

21. Between March 1, 2009, and February 28, 2010, in the Northern District of California, the defendants,

IAN FURMINGER and
EDMOND ROBLES,

each being an agent of a local government and each aided and abetted by the other, did knowingly embezzle, steal, obtain by fraud, convert to the use of a person other than the rightful owner, and intentionally misapply property worth at least \$5,000, and under the care, custody and control of such local government, in violation of Title 18, United States Code, Sections 666(a)(1)(A) and 2.

COUNT EIGHT: (18 U.S.C. § 1951 – Extortion Under Color of Official Right)

22. The factual allegations in Paragraphs 1, 2, 7, 8(c), and 8(d) are re-alleged and incorporated as if fully set forth here.

23. Between in and about August 2011 and in and about August 2012, in the Northern District of California, the defendant,

IAN FURMINGER,

did knowingly obstruct, delay, and affect in any way and degree commerce and the movement of articles and commodities in commerce by extortion, that is, by obtaining property from S.S. with S.S.'s consent induced under color of official right, in violation of Title 18, United States Code, Section 1951.

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SUPERSEDING INDICTMENT

1 COUNT NINE: (21 U.S.C. § 846 – Conspiracy to Distribute Controlled Substances)

2 24. The factual allegation in Paragraphs 1 through 4 are re-alleged and incorporated as if
3 fully set forth here.

4 25. Beginning on a date unknown to the grand jury but no later than on or about February 19,
5 2009, and continuing through at least on or about April 9, 2011, in the Northern District of California,
6 the defendants,

7 IAN FURMINGER and
8 EDMOND ROBLES,

9 R.V., and others did knowingly and intentionally conspire to distribute controlled substances, in
10 violation of Title 21, United States Code, Sections 846 and 841.

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12
13 DATED: October 30, 2014

A TRUE BILL.

14
15 Nancy J. Peterson
16 FOREPERSON

17 MELINDA HAAG
18 United States Attorney

19 J. Douglas Wilson
20 J. DOUGLAS WILSON
Chief, Criminal Division

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22 (Approved as to form: AUSAs Hermann, and Villazor)
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SUPERSEDING INDICTMENT